

- [(16)] (XVII) A professional counselor;
- [(17)] (XVIII) A psychologist;
- [(18)] (XIX) A social worker; and
- [(19)] (XX) A speech-language pathologist.

(2) "HEALTH CARE PROVIDER" INCLUDES AN AGENT, EMPLOYEE, OFFICER, OR DIRECTOR OF ANY ENTITY LISTED UNDER PARAGRAPH (1) OF THIS SUBSECTION.

(b) Except for a minor patient, unless a patient is notified, a health care provider may not destroy a medical record or laboratory or X-ray report about a patient for 5 years after the record or report is made.

(c) In the case of a minor patient, a medical record or laboratory or X-ray report about a minor patient may not be destroyed until the patient attains the age of majority plus 3 years or for 5 years after the record or report is made, whichever is later, unless:

- (1) The parent or guardian of the minor patient is notified; or
- (2) If the medical care documented in the record was provided under § 20-102(c) or § 20-103(c) of this article, the minor patient is notified.

(d) The notice under subsections (b) and (c) of this section shall:

- (1) Be made by first-class mail to the last known address of the patient;
 - (2) Include the date on which the record of the patient shall be destroyed;
- and
- (3) Include a statement that the record or synopsis of the record, if wanted, must be retrieved at a designated location within 30 days of the proposed date of destruction.

(e) After the death, retirement, surrender of the license, or discontinuance of the practice or business of a health care provider, the health care provider, the administrator of the estate, or a designee who agrees to provide for the maintenance of the medical records of the practice or business and who states, in writing to the appropriate health occupation board within a reasonable time, that the records will be maintained in compliance with this section, shall:

(1) Forward the notice required in this section before the destruction or transfer of medical records; or

(2) Publish a notice in a daily newspaper that is circulated locally for 2 consecutive weeks:

(i) Stating the date that the medical records will be destroyed or transferred; and